

best Available Copy

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

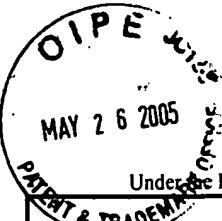
Total Number of Pages in This Submission	Attorney Docket Number	0756-2092
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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition To Withdraw From Issue <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosures 1. Resubmission Under 37 CFR 1.8(b) 2. Declaration of Rose M. Fichtel 3. Copy of Issue Fee Transmittal 4. Copy of Petition to Withdraw from Issue with RCE and IDS 5. 6.
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
Signature	
Date	May 24, 2005

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.			
Type or printed name	Adele M Stamper		
Signature	Adele M Stamper	Date	5.24.05

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$ 120.00)*Complete if Known*

Application Number	09/481,396
Filing Date	January 12, 2000
First Named Inventor	Koichiro TANAKA
Examiner Name	A. Rodriguez
Group Art Unit	2828
Attorney Docket No.	0756-2092

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
50-2280

Deposit Account Name
Robinson Intellectual Property Law Office

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit overpayments

Applicant claims small entity status. See 37 CFR 1.27

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge - late filing fee or oath	
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130 Non-English specification	
1812	2,520	1812	2,520 For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	
1251	120	2251	60 Extension for reply within first month	
1252	450	2252	225 Extension for reply within second month	
1253	1020	2253	510 Extension for reply within third month	
1254	1,590	2254	795 Extension for reply within fourth month	
1255	2,160	2255	1080 Extension for reply within fifth month	
1401	500	2401	250 Notice of Appeal	
1402	500	2402	250 Filing a brief in support of an appeal	
1403	1000	2403	500 Request for oral hearing	
1451	1,510	1451	1,510 Petition to institute a public use proceeding	
1452	500	2452	250- Petition to revive - unavoidable	
1453	1,500	2453	750 Petition to revive - unintentional	
1501	1,400	2501	700 Utility issue fee (or reissue)	
1502	800	2502	400 Design issue fee	
1503	1100	2503	550 Plant issue fee	
1462	400	1462	400 Petitions, Group I	
1463	200	1463	200 Petition, Group II	
1464	130	1464	130 Petitions, Group III	
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180 Submission of Information Disclosure Stmt	
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1809	790	2809	395 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395 For each additional invention to be examined (37 CFR § 1.29(b))	
1801	790	2801	395 Request for Continued Examination (RCE)	
1802	900	1802	900 Request for expedited examination of a design application	
Other fee (specify) <u>Increase in Issue Fee</u>				120.00

* Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$ 120.00)**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 5.24.05 Adhem Starpa

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY*Complete (if applicable)*

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285	Telephone	(571) 434-6789
Signature				Date	5-24-05



Attorney Docket No. 0756-2092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Koichiro TANAKA

Serial No. 09/481,396

Filed: January 12, 2000

For: LASER IRRADIATION APPARATUS

) Group Art Unit: 2828

) Examiner: A. Rodriguez

) CERTIFICATE OF MAILING

) I hereby certify that this correspondence is
being deposited with the United States Postal
Service with sufficient postage as First Class
Mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on
5.24.05

Ashley M. Stumper

RESUBMISSION UNDER 37 CFR 1.8(b)

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicant respectfully submits this *Resubmission Under 37 CFR 1.8(b)*. Specifically, the Applicant is resubmitting an Issue Fee Transmittal and a *Petition to Withdraw* with RCE and IDS as described in greater detail below. Rule 1.8(b) states the following:

In the event that correspondence is considered timely filed by being mailed or transmitted in accordance with paragraph (a) of this section, but not received in the Patent and Trademark Office, and the application is held to be abandoned or the proceeding is dismissed, terminated, or decided with prejudice, the correspondence will be considered timely if the party who forwarded such correspondence:

(1) Informs the Office of the previous mailing or transmission of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence;

(2) Supplies an additional copy of the previously mailed or transmitted correspondence and certificate; and

(3) Includes a statement which attests on a personal knowledge basis or to the satisfaction of the Director to the previous timely mailing or transmission. If the correspondence was sent by facsimile transmission, a copy of the sending unit's report confirming transmission may be used to support this statement.

In accordance with Rule 1.8(b), the Applicant respectfully submits the following:

On March 28, 2005, the Applicant filed the following: PTOL-58B – Issue Fee Transmittal (2 copies); a *Letter Regarding Payment of Issue Fee*; Check No. 4132 in the amount of \$120 to cover an increase in the issue fee since the prior payment of the issue fee on March 16, 2002, in the amount of \$1,280; and Certificates of Mailing for each of the above (copies attached) (referred to hereinafter as the “Issue Fee Transmittal”). The Issue Fee Transmittal was either deposited with the U.S. Postal Service (USPS) personally by Ms. Rose M. Fichtel or was deposited with the USPS by others in the office in the ordinary course of business. Please see the attached *Declaration of Rose M. Fichtel* for details regarding the above.

On May 19, 2005, the Applicant filed, via hand delivery to the Office of Petitions, the following: a Transmittal Form/Fee Transmittal (2 copies); a *Petition To Withdraw From Issue* (2 copies); a Request for Continued Examination (RCE) (2 copies); an Information Disclosure Statement (IDS); a PTO 1449 Form with copies of references listed thereon; and Check No. 4287 in the amount of \$920.00 (\$790 for the RCE and \$130 for the *Petition to Withdraw*) (copies attached) (referred to hereinafter as the “*Petition to Withdraw with RCE and IDS*”). The *Petition to Withdraw* with RCE and IDS were received by the Office of Petitions on May 20, 2005, as evidenced by a stamped received post card bearing an Office of Petitions date-stamp (copy attached).

On May 20, 2005, the Applicant’s representative received a call from Petitions Examiner Karen Creasy, Office of Petitions, indicating that an Issue Fee Transmittal has not been received. This was Applicant’s first indication that the Issue Fee Transmittal was not received in due course.

Upon further review, it is confirmed that the Applicant had not received a stamped post card to indicate delivery of the Issue Fee Transmittal. Also, the Applicant reviewed accounting records for all checks printed on March 28, 2005. Accounting records show that Check Nos. 4129 through 4131 and 4133 through 4135 have been

cashed by the Patent Office. Check No. 4132, which accompanied the Issue Fee Transmittal of March 28, 2005, has not been cashed by the Patent Office.

In light of the above facts, it appears that the Issue Fee Transmittal of March 28, 2005, was likely lost, probably by the USPS, either after Ms. Fichtel personally deposited the above-referenced documents with the USPS or after the above-referenced documents were deposited with the USPS by others in the office in the ordinary course of business.

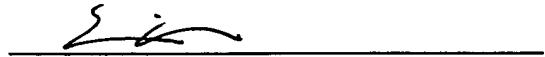
The Applicant attaches herewith a true and accurate copy of the Issue Fee Transmittal filed March 28, 2005, and a new check in the amount of \$120 to cover the increase in the issue fee since the prior payment of the issue fee on March 16, 2002.

Therefore, the Applicant respectfully submits that the present *Resubmission* is accompanied by a reply required to the outstanding Notice of Allowability, and that a *Petition to Withdraw From Issue* with RCE and IDS were previously filed May 19, 2005, and received by the Patent Office on May 20, 2005.

No fee is believed to be necessary at this time. However, the Commissioner is hereby authorized to charge fees under 37 CFR §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Upon entry of the present *Resubmission*, the Applicant respectfully requests that the Issue Fee Transmittal be entered and that the *Petition to Withdraw From Issue* with RCE and IDS be entered and acted upon in due course.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789



Attorney Docket No. 0756-2092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 2828
Koichiro TANAKA) Examiner: A. Rodriguez
Serial No. 09/481,396)
Filed: January 12, 2000)
For: LASER IRRADIATION APPARATUS)
)
)

DECLARATION

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Rose M. Fichtel, Office Manager of Robinson Intellectual Property Law Office, P.C., attest as follows:

1. I have reviewed PTOL-58B – Issue Fee Transmittal (2 copies); a *Letter Regarding Payment of Issue Fee*; Check No. 4132 in the amount of \$120 to cover an increase in the issue fee since the prior payment of the issue fee on March 16, 2002, in the amount of \$1,280; and Certificates of Mailing for each of the above, all of which correspond with the above-referenced patent application.

2. Specifically, I have reviewed the Certificates of Mailing and note that my signature is on the Certificates of Mailing.

3. I attest that on March 28, 2005, PTOL-58B – Issue Fee Transmittal (2 copies); a *Letter Regarding Payment of Issue Fee*; Check No. 4132 in the amount of \$120 to cover an increase in the issue fee since the prior payment of the issue fee on March 16, 2002, in the amount of \$1,280; and Certificates of Mailing for each of the above were copied, the original documents were deposited in an envelope along with copies of references cited on the PTO Form-1449, the envelope was addressed to the

Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, the envelope containing the documents was weighed using a postage meter, sufficient First Class postage was applied to the envelope containing the documents, and the stamped envelope containing the documents was either deposited with the USPS personally by me or was deposited with the USPS by others in my office in the ordinary course of business. In the ordinary course of business in my office, all correspondence to the U.S. Patent & Trademark Office is collected in a central location and is routinely deposited with the USPS.

4. Based on the above, I attest that PTOL-58B – Issue Fee Transmittal (2 copies); a *Letter Regarding Payment of Issue Fee*; Check No. 4132 in the amount of \$120 to cover an increase in the issue fee since the prior payment of the issue fee on March 16, 2002, in the amount of \$1,280; and Certificates of Mailing for each of the above were deposited on March 28, 2005, with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



Rose M. Fichtel

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789

best Available Copy



This will acknowledge receipt of the following:

1. PTOL-85B – Issue Fee Transmittal (2 copies)
2. Letter Regarding Payment of Issue Fee
3. Check No. 4132 in the amount of \$120 (issue fee increase)
4. Certificates of Mailing for each of the above

In re PATENT application of:

KOICHIRO TANAKA
Serial No. 09/481,396
Filed: 01/12/2000
Due Date: 03/28/2005
For: LASER IRRADIATION APPARATUS
Docket: 0756-2092
March 28, 2005
EJR/EJR/rmf

RIPLO

ROBINSON INTELLECTUAL
PROPERTY LAW OFFICE, P.C.
PMB 955 21010 SOUTHBANK STREET
POTOMAC FALLS, VA 20165
(571) 434-6789

4132
SUNTRUST BANK
PO BOX 85024
RICHMOND, VA 23285
65-270/550

3/28/2005

PAY TO THE
ORDER OF

Commissioner of Patents

\$ **120.00

One Hundred Twenty and 00/100*****

DOLLARS

MEMO

0756-2092; SN 09/481,396

E.K.

1000413210550027071000002581295

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-4000

or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

31780

7590

12/28/2004

ERIC ROBINSON
PMB 955
21010 SOUTHBANK ST.
POTOMAC FALLS, VA 20165



Note: A certificate of mailing can only be used for domestic mailings of Fee(s) Transmittal. This certificate cannot be used for any other accompany papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Rose M. Fichtel	(Depositor's name)
<i>Rose M. Fichtel</i>	
March 28, 2005	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/481,396	01/12/2000	Koichiro Tanaka	0756-2092	5586

TITLE OF INVENTION: LASER IRRADIATION APPARATUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional	NO	\$120	\$0	\$120	03/28/2005
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EXAMINER	ART UNIT	CLASS-SUBCLASS
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RODRIGUEZ, ARMANDO	2828	372-101000
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1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
<input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.	

1 Eric J. Robinson
Robinson Intellectual
Property Law Office
P.C.
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed in recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Semiconductor Energy Laboratory Co., Ltd. Kanagawa-ken, Japan

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee Previously paid - see attached letter

Publication Fee (No small entity discount permitted)

Advance Order - # of Copies 10 - previously paid on 3/25/2002 - see letter

A check in the amount of the fee(s) is enclosed. (increase amount)

Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge the required fee(s), or credit any overpayment Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Eric J. Robinson

Date March 28, 2005

Typed or printed name Eric J. Robinson

Registration No. 38,285

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Attorney Docket No. 0756-2092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 2828
Koichiro TANAKA) Examiner: A. Rodriguez
Serial No. 09/481,396)
Filed: January 12, 2000)
For: LASER IRRADIATION APPARATUS)
I hereby certify that this correspondence is
being deposited with the United States Postal
Service with sufficient postage as First Class
Mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on March 28,
2005

Close Dicks

LETTER REGARDING PAYMENT OF ISSUE FEE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is respectfully requested that the Issue Fee paid on March 25, 2002 be applied towards the current Issue Fee due March 28, 2005. Also, attached is the new Issue Fee Transmittal Form PTOL-85, along with a copy of Petition granting the Withdrawal from Issue indicating that the Issue Fee may be reapplied in this matter.

Respectfully submitted,


Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789



UNITED STATES PATENT AND TRADEMARK OFFICE

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov
Paper No.

NIXON PEABODY, LLP
8180 GREENSBORO DRIVE
SUITE 800
MCLEAN VA 22102

In re Application of
Koichiro Tanaka
Application No. 09/481,396
Filed: January 12, 2000
Attorney Docket No. 0756-2092



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OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition, filed by facsimile transmission on July 1, 2002, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on March 25, 2002 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (703) 305-8859.

After receipt of the file in the Office of Petitions, the file will be forwarded to Technology Center AU 2877 for processing of the request for continued examination under 37 CFR 1.114.

Karen Creasy
Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc:
ROBINSON INTELLECTUAL PROPERTY LAW OFFICE, P.C.
PMB 955
21010 SOUTHBANK STREET
POTOMAC FALLS, VA 20165

¹ The request to apply the issue fee to the new Notice must be made in writing and should be accompanied by the new Issue Fee Transmittal Form PTOL-85(b), along with a copy of this decision. Additionally, if the issue fee has increased from the previously paid issue fee, the balance due must be submitted. Failure to timely request in writing that the previously paid issue fee be applied towards the new Notice and payment of any balance due will result in the abandonment of the application.



This will acknowledge receipt of the following:

1. Transmittal Form/Fee Transmittal (2 copies)
2. Petition To Withdraw From Issue (2 copies)
3. RCE (2 copies)
4. Information Disclosure Statement
5. PTO 1449 Form with copies of references listed thereon
6. Check No. 4287 in the amount of \$920.00 (\$790 rec; \$130 pcution)

In re PATENT application of:

KOICHIRO TANAKA
Serial No. 09/481,396
Filed: 01/12/2000
Due Date: 05/20/2005
For: LASER IRRADIATION APPARATUS
Docket: 0756-2092
May 19, 2005
EJR/EJR/ams

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MAY 20 2005

OFFICE OF PETITIONS

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This will acknowledge receipt of the following:

1. Transmittal Form/Fee Transmittal (2 copies)
2. Petition To Withdraw From Issue (2 copies)
3. RCE (2 copies)
4. Information Disclosure Statement
5. PTO 1449 Form with copies of references listed thereon
6. Check No. 4287 in the amount of \$920.00 (\$790 rce; \$130 petition)

In re PATENT application of:

KOICHIRO TANAKA
Serial No. 09/481,396
Filed: 01/12/2000
Due Date: 05/20/2005
For: LASER IRRADIATION APPARATUS
Docket: 0756-2092
May 19, 2005
EJR/EJR/ams

RIPL
ROBINSON INTELLECTUAL
PROPERTY LAW OFFICE, P.C.
PMB 955, 21010 SOUTHBANK STREET
POTOMAC FALLS, VA 20165
(571) 434-6789

SUNTRUST BANK
PO BOX 85024
RICHMOND, VA 23285
65-270/550

4287

5/19/2005

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ORDER OF

Commissioner of Patents

\$ **920.00

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Nine Hundred Twenty and 00/100

MEMO

0756-2092; SN 09/481,396

004287 0550027071000002581295



U.S. SERIAL NO. 05 61,396
FILED JANUARY 12, 2000
LASER IRRADIATION APPARATUS
KOICHIRO TANAKA
DOCKET NO.: 0756-2092



SPECIAL PROCEDURES SUBMISSION

PETITION TO WITHDRAW FROM ISSUE

DELIVER TO:

**Office of Petitions
U.S.P.T.O.**

**PLEASE FAX COPY OF DECISION ON PETITION
TO 571-434-9499**



PTO/SB/21 (08-00)

TRANSMITTAL FORM

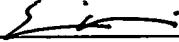
(to be used for all correspondence after initial filing)

		Application Number	09/481,396
		Filing Date	January 12, 2000
		First Named Inventor	Koichiro TANAKA
		Group Art Unit	2828
		Examiner Name	A. Rodriguez
Total Number of Pages in This Submission		Attorney Docket Number	0756-2092

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition To Withdraw From Issue <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosures 1. RCE 2. 3. 4. 5. 6.
Remarks <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
Signature	
Date	May 19, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Type or printed name		
Signature	Date	

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**FEE TRANSMITTAL
FOR FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$ 920.00)*Complete if Known*

Application Number	09/481,396
Filing Date	January 12, 2000
First Named Inventor	Koichiro TANAKA
Examiner Name	A. Rodriguez
Group Art Unit	2828
Attorney Docket No.	0756-2092

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

50-2280

Deposit Account Name

Robinson Intellectual Property Law Office

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit overpayments

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(S)	
1001	300	2001 150	Utility filing fee
1111	500	2111 250	Search fee
1311	200	2311 275	Examination fee
Over 100 Sheets/250 for each additional 50			

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependent			

Large Entity	Small Entity	Fee Description	(S)
Fee Code	Fee Code		
1202	50	2202 25	Claims in excess of 20
1201	200	2201 100	Independent claims in excess of 3
1203	360	2203 180	Multiple dependent claim, if not paid
1204	200	2204 100	** Reissue independent claims over original patent
1205	50	2205 25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(S)	
1051	130	2051 65	Surcharge - late filing fee or oath
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130	Non-English specification
1812	2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251	120	2251 60	Extension for reply within first month
1252	450	2252 225	Extension for reply within second month
1253	1020	2253 510	Extension for reply within third month
1254	1,590	2254 795	Extension for reply within fourth month
1255	2,160	2255 1080	Extension for reply within fifth month
1401	500	2401 250	Notice of Appeal
1402	500	2402 250	Filing a brief in support of an appeal
1403	1000	2403 500	Request for oral hearing
1451	1,510	1451 1,510	Petition to institute a public use proceeding
1452	500	2452 250-	Petition to revive - unavoidable
1453	1,500	2453 750	Petition to revive - unintentional
1501	1,400	2501 700	Utility issue fee (or reissue)
1502	800	2502 400	Design issue fee
1503	1100	2503 550	Plant issue fee
1462	400	1462 400	Petitions, Group I
1463	200	1463 200	Petition, Group II
1464	130	1464 130	Petitions, Group III
1807	50	1807 50	Processing fee under 37 CFR 1.17(q)
1806	180	1806 180	Submission of Information Disclosure Stmt
8021	40	8021 40	Recording each patent assignment per property (times number of properties)
1809	790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810 395	For each additional invention to be examined (37 CFR § 1.29(b))
1801	790	2801 395	Request for Continued Examination (RCE)
1802	900	1802 900	Request for expedited examination of a design application

Other fee (specify) _____

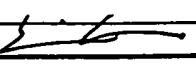
* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 920.00)

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SUBMITTED BY*Complete (if applicable)*

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285	Telephone	(571) 434-6789
Signature				Date	May 19, 2005

** or number previously paid, if greater; For Reissues, see above

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/481,396
Filing Date	January 12, 2000
First Named Inventor	Koichiro TANAKA
Group Art Unit	2828
Examiner Name	A. Rodriguez
Attorney Docket Number	0756-2092

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other: _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. Other Petition To Withdraw From Issue _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
- b. Check in the amount of \$920.00 enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285
Signature		Date	May 19, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	
Signature	

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Attorney Docket No. 0756-2092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 2828
Koichiro TANAKA) Examiner: A. Rodriguez
Serial No. 09/481,396)
Filed: January 12, 2000)
For: LASER IRRADIATION APPARATUS)

PETITION TO WITHDRAW FROM ISSUE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions that the subject application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 CFR 1.97 (submitted herewith) and a Request for Continued Examination (RCE) (also submitted herewith).

Also submitted herewith is the requisite fee of \$130.00 set forth in 37 CFR 1.17(i).

In view of the foregoing, it is urged that this petition is in order and, accordingly, a prompt grant thereof is requested.

The Commissioner is hereby authorized to charge any fees which may be further required in this application, except the issue fee, or credit any overpayment to Deposit Account No. 50-2280, under the above order number. A duplicate of this sheet is attached.

Respectfully submitted,


Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789



Attorney Docket No. 0756-2092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 2828
Koichiro TANAKA) Examiner: A. Rodriguez
Serial No. 09/481,396)
Filed: January 12, 2000)
For: LASER IRRADIATION APPARATUS)

INFORMATION DISCLOSURE STATEMENT

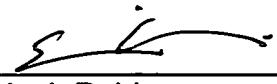
Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56 and 37 C.F.R. 1.97-1.99, Applicant submits herewith a Form PTO-1449 listing information known to Applicant and requests that this information be made of record in the above identified application. Copies are submitted herewith in accordance with 37 C.F.R. 1.98(a).

This Information Disclosure Statement is being submitted with an RCE. Therefore, no fee is required.

Respectfully submitted,


Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789

Please type a plus sign (+) inside this box → [+]

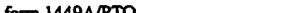
MAY 26 2005

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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 INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	09/481,396
				Filing Date	January 12, 2000
				First Named Inventor	Koichiro TANAKA
				Group Art Unit	2828
				Examiner Name	A. Rodriguez
Sheet	1	of	1	Attorney Docket Number	0756-2092

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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